

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

PAUL HAMILTON,

Defendant.

Case No. CR20-184RSL

ORDER GRANTING
STIPULATED MOTION TO
CONTINUE TRIAL

This matter comes before the Court on the parties' "Stipulated Motion to Continue Trial." Dkt. # 13. Having considered the facts set forth in the motion, and defendant's knowing and voluntary waiver, the Court finds as follows:

1. The Court adopts the facts set forth in the stipulated motion: specifically, that the case involves a lengthy investigation into a dark web drug distribution vendor, that discovery will be voluminous, that the government is continuing to produce discovery, that discovery containing sensitive personal information and information associated with undercover operations remains outstanding, and that defense counsel needs additional time to review discovery, conduct necessary investigation, and review the case with her client. The Court accordingly finds that a failure to grant a continuance would deny counsel, and any potential future counsel, the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).

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1 2. The Court finds that a failure to grant a continuance would likely result in a
2 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

3 3. The Court finds that the additional time requested between January 25, 2021 and
4 the proposed trial date of May 17, 2021, is a reasonable period of delay. The Court finds that
5 this additional time is necessary to provide defense counsel reasonable time to prepare for trial,
6 considering all the facts set forth above.

7 4. The Court further finds that this continuance would serve the ends of justice, and
8 that these factors outweigh the best interests of the public and defendant in a speedier trial,
9 within the meaning of 18 U.S.C. § 3161(h)(7)(A).

10 5. Defendant has executed a waiver indicating that he has been advised of his right to
11 a speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived
12 that right and consented to the continuation of his trial to a date up to and including June 15,
13 2021, Dkt. # 15, which will permit his trial to start on May 17, 2021.

14 IT IS HEREBY ORDERED that the trial date shall be continued from January 25,
15 2021 to May 17, 2021, and pretrial motions are to be filed no later than April 5, 2021;

16 IT IS FURTHER ORDERED that the period of time from the current trial date of January
17 25, 2021, up to and including May 17, 2021, shall be excludable time pursuant to the Speedy
18 Trial Act, 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of
19 this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D),
20 (h)(7)(A), and (h)(7)(B)(i), (iv).

21 DATED this 15th day of December, 2020.

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28 Robert S. Lasnik
United States District Judge